IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

Con.Case(C).No. 831 of 2006(S)

AGAINST THE JUDGEMENT/ORDER IN O.P..14398/1997 dt. 11.8.2005

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: PETITIONER/PETITIONER IN THE OP.

M.B.ARUNDHATHY, AGED 31 YEARS,
W/O.JAGADISHCHANDRAN, MUTHALAKUDATH HOUSE,
AVITTATHOOR P.O., IRINJALAKUDA, THRISSUR DISTRICT.

BY ADV. DR.K.P.SATHEESAN
SRI.K.K.GOPINATHAN NAIR
SRI.M.R.JAYAPRASAD
SRI.K.K.RAJEEV
SRI.T.K.KAMALJITH

RESPONDENTS: RESPONDENTS 2 & 3 IN THE OP

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1. DR.PAVITHRAN, AGED 53 YEARS,
(FATHER'S NAME NOT KNOWN TO THE PETITIONER),
PRESENTLY WORKING AS CHIEF ENGINEER (HRM),
KERALA STATE ELECTRICITY BOARD, VYDYUTHI BHAVAN,
PATTOM, THIRUVANANTHAPURAM.

2. DEEPANAND, AGED 48 YEARS,
(FATHER'S NAME NOT KNOWN TO THE PETITIONER),
PRESENTLY WORKING AS EXECUTIVE ENGINEER,
(ELECTRICAL DIVISION), KSEB, IRINJALAKUDA.

BY ADV. SRI.K.S.ANIL, SC, KSEB

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON 16/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH, J.

Cont.Case (C) No.831 of 2006

Dated this the 16th day of March, 2007.

JUDGMENT

Service benefits is an issue to be pursued by the first wife of the deceased. It is stated in the statement dated 12.2.2007 that on fixation of the service benefits, though notice was issued to the first wife there is no response. If the first wife has any grievance regarding the service benefits it is for her to pursue the matter. That need not stand in the way of the petitioner being considered for compassionate appointment. Therefore, it is made clear that for appointment under the dying in harness scheme, as far as the petitioner is concerned, shall be considered independent of the objections of the first wife and her son. The needful action for providing compassionate appointment, as far as the petitioner is concerned, shall be taken within a period of two weeks from the date of production of a copy of this judgment.

Contempt Case is accordingly closed.

Sd/-

KURIAN JOSEPH, JUDGE

vns

/ true copy /